

California Division of Water Rights.

State Water Resources Control Board

My name is Janice Giffen. I recieved the new Statement of Water Diversion Use. I need copies of the old statements no. S002622 and S015223 so I can fill out the new statement. My husband always took care of this but he has passed away.

Thank you:

Janice Giffen
10991 E. Limberlost Rd.
Tucson, AZ, 85749

Phone # 520-749-6683

e-mail: snaglake@msn.com

FAXED COPIES
5/20/08 BR

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

STATE WATER RESOURCES CONTROL BOARD
S002622% S% 2002
2000, 2001, 2002

Please Complete and Return This Form by September 1, 2003.

2003 SEP -2 AM 9:15

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: ~~JANICE M. GIFFEN REVOCABLE TRUST U/A DATED FEB 12 1996~~ DIVISION OF WATER RIGHTS

Craig A. Giffen and Janice M. Giffen Revocable Living Trust dated 4/28/03

Craig A. Giffen and Janice M. Giffen Revocable Living Trust
PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:
JANICE M. GIFFEN REVOCABLE TRUST U/A DATED FEB 12 1996
C/O JANICE M. GIFFEN TRUSTEE

10991 E LIMBERLOST RD e/o Craig A. Giffen, Trustee
TUCSON, AZ 85749
520-749-6683

STATEMENT NO.: S002622
CONTACT PHONE NO.: (520) 749-6683

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S002622
PASSWORD: D14695

Source Name: Unnamed Creek

Tributary To: PINE CREEK

County: Modoc

Diversion Within: NE1/4 of SE1/4 Section 34, T48N, R15E, MB&M

See map attached to 1967 report

Year of First Use: 1920

Parcel Number: 024-190-16-11

Circa 1910 for
supplying hydro
forebay
(no longer
in use)

A. Water is used under: Riparian claim ☒ Pre 1914 right ☐ Other (explain):

B. Year of first use (Please provide if missing above)

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Total "consumptive use" (evaporation)
may be 5 ± Ac. Ft. per year.

Amounts below are:

Gallons

Acre-feet ☒

Other

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2000	X	X	X	X	X	X	X	X	X	X	X	X	Diversion 1200 max 600 min
2001	X	X	X	X	X	X	X	X	X	X	X	X	1200 max 600 min
2002	X	X	X	X	X	X	X	X	X	X	X	X	1200 max 600 min

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

At over-bank elevation the lake (Snag Lake) is
approximately 1.6 surface acres and 10.6
acre feet.
200 ± persons per year

Irrigation ~ acres; Stockwatering minimal; Domestic

Other (specify) The purpose of this ditch diversion is to keep the lake (Snag Lake) filled with water for
boating, swimming, fish raising, ice skating and other recreation enjoyment and aesthetic enjoyment.

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion
dam, location of diversion, etc.)

No change since 1999 Statement

A pump is installed at the ditch to
supply camp water for domestic use.

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ☐ NO ☒

Describe any water conservation efforts you have initiated:

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is
claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ☐ NO ☐

OCT - 9 2003

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: August 26, 2003 at Snag Lake (Madera County), California

SIGNATURE: Craig A. Giffen

PRINTED NAME: Craig A. Giffen
(first name) (middle init.) (last name)

COMPANY NAME: Craig A. Giffen and Janice M. Giffen Rancable Living Trust dated 4/28/03

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

C All of the diverted water comes from springs on the riparian property and is a 100% diversion. All diverted water (except for minimal domestic use) enters Snag Lake. Except for minimal domestic use and surface evaporation from Snag Lake, the diverted water exits Snag Lake via spillway and back into original stream channel or via seepage and holes in lake bottom and back into Pine Creek through underground hydrology and springs.

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

Please note -

There are 2 reports
enclosed in this
envelope.

C. J. H. H.

OCT - 9 2003

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1999.

OWNER OF RECORD: JANICE M GIFFEN REVOCABLE TRUST U/A DATED FEB 12 1996

JANICE M GIFFEN REVOCABLE TRUST U/A DATED FEB 12 1996
C/O JANICE M GIFFEN, TRUSTEE
10991 E LIMBERLOST RD
TUCSON, AZ 85749

STATEMENT NO: 8002622

SOURCE: UNCR
TRIBUTARY TO: PINE CREEK
COUNTY: MODOC
DIVERSION

WITHIN: NE¼ OF SE¼ SECTION 34, T48N, R15E, MB&M.

1920 is your date
First use (probably for hydro)
may have been earlier.
TELEPHONE NUMBER: (203) 838-7751
YEAR OF FIRST USE: 1920
PARCEL NO:

(520) 749-6683

A. Water is used under: Riparian claim ☒; Pre 1914 right ☐; Other (explain):

B. Year of first use (Please provide if missing above) See note above.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other)

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual	
1996	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.
1997	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.
1998	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation minimal acres; Stockwatering minimal; Domestic 200 ± persons per year.

Other (specify) Purpose of this ditch diversion is to keep lake (Snag Lake) filled with water for boating, fishing, swimming, fish raising, ice skating, other recreation, aesthetic enjoyment, etc. Also a

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
No change since 1996 statement pump is installed on the ditch to supply water for domestic drinking and other camp needs.

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. NA

Note: See 1995 statement for additional comment/history.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 4, 1999 at Snag Lake (Modoc County), California

SIGNATURE: Janice M. Giffen

PRINTED NAME: Janice M. Giffen, Trustee

~~COMPANY NAME:~~ Janice M. Giffen Revocable Trust U/A DTD 2/12/96

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

JAN 25 2000

KN

ITEM	CONTINUATION
1	1. The first part of the document is a letter from the author to the editor, dated 10/10/68, in which the author states that he has been asked to write a review of the book "The History of the United States" by John F. Kennedy.
2	2. The second part of the document is a letter from the editor to the author, dated 10/10/68, in which the editor states that he has received the author's letter and is pleased to hear that the author has been asked to write a review of the book.
3	3. The third part of the document is a letter from the author to the editor, dated 10/10/68, in which the author states that he has been asked to write a review of the book "The History of the United States" by John F. Kennedy.
4	4. The fourth part of the document is a letter from the editor to the author, dated 10/10/68, in which the editor states that he has received the author's letter and is pleased to hear that the author has been asked to write a review of the book.
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8	8. The eighth part of the document is a letter from the editor to the author, dated 10/10/68, in which the editor states that he has received the author's letter and is pleased to hear that the author has been asked to write a review of the book.
9	9. The ninth part of the document is a letter from the author to the editor, dated 10/10/68, in which the author states that he has been asked to write a review of the book "The History of the United States" by John F. Kennedy.
10	10. The tenth part of the document is a letter from the editor to the author, dated 10/10/68, in which the editor states that he has received the author's letter and is pleased to hear that the author has been asked to write a review of the book.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same water shed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by a riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: ~~GRAIG A. GIFFEN, JANICE M. GIFFEN~~

~~JANICE M. GIFFEN~~ REVOCABLE TRUST
U/A DTD FEB 12, 1996

~~GRAIG A. GIFFEN, JANICE M. GIFFEN, TRUSTEE~~
28262 EVERGREEN DRIVE
CONIFER, CO 80433

SOURCE: UNCR
TRIBUTARY TO: PINE CREEK
COUNTY: MODOC
DIVERSION

WITHIN: NE¼ OF SE¼ SECTION 34, T48N, R15E, MB&M.

A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) See note above.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL	
1993	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.
1994	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.
1995	X	X	X	X	X	X	X	X	X	X	X	X	1200 600	max. min.

- May be essentially ZERO at times of freeze up.
- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering minimal; Domestic 200+ persons/year
Other (specify) Purpose of this ditch diversion is to keep lake (Snag Lake) filled with water for uses: boating, fishing, swimming, future fish raising, ice skating, other recreation, and aesthetic enjoyment. Wildlife use water in lake for drinking. In addition to this ditch diversion, there is a pump seasonally installed at a point on the ditch to supply water for domestic drinking and other camp needs. Also, future water use for watering logging roads.
- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
No change since 1995 statement.

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below. NA

(Note: See 1995 statement for additional comment/history)

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 19, 1996, at New Pine Creek (Modoc County), California

SIGNATURE: Janice M. Giffen

PRINTED NAME: Janice (FIRST NAME) Marie (M. NAME) Giffen, Trustee (LAST NAME)

COMPANY NAME: Janice M. Giffen Revocable Trust U/A DTD 2/12/96

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on their riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water-user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

“Statements of Water Diversion and Use”
 “Information Pertaining to Water Rights in California”
 “Water Rights for Stockponds Constructed Prior to 1969”
 “Appropriation of Water in California”

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

1994 JUN -916 PM 2:28:20

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIV. OF WATER RIGHTS

DIVERTER OF RECORD:

SACRAMENTO

STATEMENT NO: 002622

CRAIG A & JANICE M GIFFEN
28262 EVERGREEN DRIVE
CONIFER, CO 80433

TELEPHONE NUMBER:
(303) 838-7751

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED CREEK

TRIBUTARY TO: PINE CREEK

COUNTY: MODOC

YEAR OF FIRST USE: 1920

DIVERSION

WITHIN: NE1/4 OF SE1/4 SECTION 34, T48N, R15E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994.

- A. Water is used under: Riparian claim ☒; Pre 1914 right _____; Other (explain) _____
1920 is your date. First use (partly for hydro) may be earlier. I am researching this item.
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons☒ Acre-feet☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL	Ac. Ft.
1991	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.	
1992	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.	
1993	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.	

May be essentially zero at times of freeze up.

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering minimal (I hope); Domestic 200+ over a year period
Other (specify) Boating, fishing, swimming, fish raising, ice skating, other recreation and
esthetic enjoyment. Wildlife use water in lake for drinking.

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.) New pump temporarily (seasonally)
installed in diversion to supply domestic and other camp needs. Water will be
used from other reaches of Pine Creek to water logging roads (still riparian
right). Primary diversion into lake (Snag Lake) remains as same as for decades.
Note: The diversion described above is used to keep the lake (Snag Lake)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None → Filled with water. Excess diverted water passes over or through lake outlet or
seeps through lake bottom or both. The huge majority of diversion is passed
on to Pine Creek through such outlet or seepage. The lake contains approximately
30 acre feet when full. The only consumptive use from lake is evaporation.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: June 5, 19 94, at Snag Lake (Modoc County) California
4 miles east of New Pine Creek

Signature: Craig A. Giffen

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

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- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

WR
28262 Evergreen Dr.
Conifer, CO 80433
December 15, 1994

State Water Resources Control Board
Division of Water Rights
P.O. Box 2000
Sacramento, CA 95812-2000

Re: Statement No. 002622

Hello:

The purpose of this letter is to bring you up to date on what has transpired this past summer relative to my water diversion and use (Statement No. 002622). I filed my regular triennial Supplemental Statement with your office on June 5, 1994, but I thought it best to make the information in this letter available to you now, rather than to wait until the next regular triennial statement in 1997. Please place this letter in my file so that the continuing record will be up to date.

As your records will show, one of the purposes of my riparian right water diversion is to keep our small lake (Snag Lake) filled with water. The lake is formed by a natural depression in the topography and its water level has been raised by a "dam" of rocks placed in the outlet channel. It appears as though rocks or other man-made channel obstruction to raise the lake level has been in existence, in one form or another, since the early part of this century. Water is diverted from a spring-fed stream, which spring and stream are entirely on our property. The stream is totally diverted at the point of diversion which is approximately 250' +/- from the lake.

This diverted water supplements other riparian spring waters, and possibly natural underground recharge, to fill Snag Lake in the spring of the year and to maintain the water line at its "historical high", or lacking that, at as high an elevation as possible throughout the summer and into the fall. In dry years, the water available is sometimes insufficient to fill the lake and, in any case, the level of the lake usually drops as the summer season progresses. Any water which enters the lake also leaves the lake -- either at the outlet channel or from water loss through seepage and holes in the lake bottom, or both. The outlet channel soon joins the spring-fed stream channel from which the diversion is made. All water returns to the Pine Creek system -- except for evaporation from the surface of the lake, which is minor.

"Historical high" in this sense, means the high water line of the last few decades. At this high water line, the surface area of the lake is approximately 1.6 to 1.7 acres and the capacity of the lake is approximately 10.6 acre-feet. These numbers were determined this year by pacing and the use of a hand level and a certain amount of fairly gross estimation -- all of which was made possible by the fact that the lake went practically dry this fall and

I was on the scene to do the pacing and estimate the maximum depth, etc. Anyway, the 10.6 acre-feet is a lot closer than the 30 acre-feet I guessed at in earlier triennial reports.

For the past few decades, the high water line for Snag Lake has been established by the "dam" of rocks in the outlet channel of the lake. Use of the word "dam" is somewhat questionable in that there have been limited periods of time when some water flow has escaped from the lake to this channel even when the lake level has dropped below the top of the rocks (the high water line). This happens because the rock "dam" is not very tight. The "dam" of rocks has been maintained every few years over the past few decades to maintain its height and its capability to prevent any possibility of upstream fish passage -- a possibility that is extremely remote since the local game warden's opinion is that the channel below the lake outlet does not accommodate fish.

When the lake level decreases as the summer progresses, the water flow through the rocks stops because the water level has dropped below the "natural" outlet channel. Use of the word "natural" is also questionable, because there is a long history of water management and control facilities at the lake outlet which apparently dates back to the very early 1900s. There is evidence of an old levee which was probably used to increase the water storage in the lake for hydro purposes in those early years. From the looks of the levee, the level of the lake must have been higher in those times than the elevation which we are now trying to maintain during the summer and early fall.

All of this history, above, is provided to help you understand the information that follows.

This year my wife and I arrived at our camping spot at Snag Lake on May 28. We were there in our RV until October 4, but we were away for a trip to Arizona from July 21 to August 2. Sometime during this 2-week trip, somebody broke up our rock "dam" at the outlet channel. We have inquired all over the place in an attempt to identify who did this -- so far, to no avail -- but we are still trying. Three possibilities exist: (1) some downstream water user, (2) fish enthusiasts who were removing what they perceived as a fish barrier, (3) plain flat out vandalism "for the fun of it".

Regarding the first possibility -- The water inflow to the lake this year was so low that the lake never rose to a high enough level in the outlet area to reach the rock "dam". The lake level peaked on June 28 and it was all downhill from there. By the time we left on our trip to Arizona, the water in the lake was several feet of elevation below the lake outlet. It is inconceivable that any water user could have removed the rocks to gain water this year -- but a water user might have been thinking about increasing early season runoff next year because the rock "dam" does retard spring runoff somewhat and retains it in the lake for subsequent contribution to the Pine Creek system through leakage out the lake bottom. To my knowledge, such rock removal has not happened during the 33+ years we have owned the Snag Lake property, but I have heard that such rock removal may have taken place back in the 1940s and/or 1950s by a water user that is no longer around.

Regarding the second possibility -- During the last couple of years, there has been considerable discussion and controversy in these parts concerning the possible listing of the Goose Lake Redband Trout and three other fish species as "endangered", "threatened", "sensitive" or whatever. Pine Creek is one of the streams that may be habitat to these species. It occurred to me that activists working on behalf of the fish might have removed the rocks to provide what they believed to be an enhanced migration route for the fish so that they might spawn in Snag Lake.

The third possibility is just plain vandalism. Although we have never posted our property against trespassing and, in fact, have always welcomed people to our place, there are those who resent the fact that Snag Lake is private property and not national forest land. Vandalism has occurred in the past in the form of tree cutting, a certain amount of harassment by ATVs, etc. Not a lot, but some.

In any case, we contacted Jim Langley, the watermaster, and asked him to drop up to Snag Lake so we could show him what had happened. On August 25, Jim arrived and looked over the destruction of our rock "dam". He explained that, since our riparian water right at Snag Lake was not a part of the Pine Creek adjudication, we had no formal watermaster service -- but he was certainly agreeable to hearing of the situation and to discussing various elements of our water management and future plans.

Jim confirmed my understanding that it was illegal for anyone to tamper with our rock "dam" spillway and he said that it would be OK for me to rebuild the "dam" to the elevation that existed before the tampering. I also mentioned to Jim that Cal Albright, the local State Fish and Game Warden, had agreed with me that the "dam" would be a barrier to fish -- if any fish ever get that far up that channel, which is questionable. I have rebuilt the "dam" to the pre-existing elevation and I intend to maintain it at that elevation and in a configuration that will prevent any possible upstream migration of fish. I do not want to permit any possibility of native fish entering Snag Lake because that might complicate future plans to establish a private fishing lake there.

Jim went on to say that I could continue the diversion which I have been doing for decades from the stream into the lake under my riparian right. I could even do more, such as attempt to seal up the bottom of the lake -- still under my riparian right. I am neither helped nor hindered by the existing Pine Creek adjudication, he explained, because the upper end of the adjudication stops at the east line of the Clemons' property (some distance downstream). To the extent that I am able to seal up the lake bottom, water that would have gone through the bottom of the lake, will go over the rock "dam" spillway. Either way, the water goes into the Pine Creek system below Snag Lake.

Jim explained that if anyone were to complain about my water use at Snag Lake, they would have to protest and I would "get my day in court" to show that my water use was reasonable and legal. Actually, Jim said, my use of water for lake level maintenance is probably more legitimate now than when we bought the property in 1961 because environmental values have since achieved added recognition in California water law. Our

attempt to maintain a full lake level at Snag Lake for recreational, aesthetic and other purposes is primarily to enhance the environmental values of the lake and its environs.

I asked Jim whether the general restriction to the use of the riparian right for the "storage" of water had any application to our past and continued use of diverted water to attempt to maintain the level of Snag Lake. Jim had no problem with my use of water to maintain the lake level -- it was not really "storage".

In October and November of this year, with the level of Snag Lake at an all time low, I revisited the lake and tried to do some good toward sealing of the lake bottom with bentonite. I also had some maintenance work done on the diversion ditch into the lake. Only time will tell if the effort is successful -- in fact, with so many inflow and underground hydrology variables in the mix, it will be hard to assess cause and effect even if the lake level does seem to be better next summer than last.

Also, while the lake level was down in October and November, we installed a road crossing within the flowline near the outlet end of Snag Lake. This was really more like a betterment of an old existing crossing and consists of an earth fill with a couple of culverts and with a road elevation above the current historical high water line of the lake. I had previously discussed our plans to do this with Jim Langley --- no problem. We have installed an irrigation gate device on each culvert to help maintain the lake level in the event we have future problems with the rock "dam" at the historical outlet.

If you see a need for any clarification of matters contained in this letter, please advise.

Very truly yours,


Craig A. Giffen

28262 Evergreen Drive
Conifer, CO 80433

Phone: (303) 838-7751

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

FEB 13 AM 8:19
DIV. OF WATER RIGHTS
SACRAMENTO

DIVERTER OF RECORD:

STATEMENT NO: 002622

CRAIG A & JANICE M GIFFEN
28262 EVERGREEN DRIVE
CONIFER, CO 80433

TELEPHONE NUMBER:
(303) 838-7751

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED CREEK

TRIBUTARY TO: PINE CREEK

COUNTY: MODOC

DIVERSION

WITHIN: NE1/4 OF SE1/4 SECTION 34, T48N, R15E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons
☒ Acre-feet
☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual	Ac. Ft.
1988	X	X	X	X	X	X	X	X	X	X	X	X	1200 max 600 min	
1989	X	X	X	X	X	X	X	X	X	X	X	X	1200 max 600 min	
1990	X	X	X	X	X	X	X	X	X	X	X	X	1200 max 600 min	

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation Total annual diversion estimated above is substantially passed on by overflow and seepage. Diversion is used to keep lake (Snag Lake) full of fresh circulating water.
Stockwatering Excess diverted water passes over or thru lake outlet area or seeps through lake bottom or both. Such excess water returns to Pine Creek tributaries.
Domestic Any consumptive use is due to evaporation and/or domestic use. Snag Lake contains about 30 acre-feet and is used for boating, fishing, swimming, fishing, fish raising, ice skating, other recreation and aesthetic enjoyment.
Other (specify) Hundreds of visits per year. Livestock and wildlife use water in the lake for drinking.

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No change

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

None

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED:

February 7, 19 91, at Conifer, Colorado

Signature:

Craig A. Giffen

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

**** PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS ****

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

STATEMENT NO: S002622

OWNER OF RECORD: CRAIG A GIFFEN

CRAIG A GIFFEN
28262 EVERGREEN DRIVE
CONIFER, CO 80433

SOURCE: UNCR

TRIBUTARY TO: PINE CREEK

COUNTY: MODOC

DIVERSION

WITHIN: NE¼ OF SE¼ SECTION 34, T48N, R15E, MDB&M.

1920 is your date.
First use (probably for hydro) may have been earlier.
TELEPHONE NUMBER: (303) 838-7751
YEAR OF FIRST USE: 1920
PARCEL NO: 024-190-16-11

(If any of the above information is inaccurate or missing, please correct. Notify this office if ownership or address changes occur during the coming year.)

COMPLETE AND RETURN THIS FORM BY JULY 1, 1995

- A. Water is used under: Riparian claim X; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) See note above.
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☒ Acre-feet ☐ (other) _____

	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
1992	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.
1993	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.
1994	X	X	X	X	X	X	X	X	X	X	X	X	1200 max. 600 min.

May be essentially zero at times of freeze up.

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering minimal; Domestic 200 ± /year

Other (specify) Purpose of this ditch diversion is to keep lake (Snag Lake) filled with water for uses: boating, fishing, swimming, future fish raising, ice skating, other recreation and aesthetic enjoyment. Wildlife use water in lake for drinking.

***** CONTINUE ON BACK PAGE *****

In addition to this ditch diversion, there is a pump seasonally installed at a point on the ditch to supply water for domestic drinking and other camp needs.

PLEASE COMPLETE, SUBMIT THE ORIGINAL AND MAKE A COPY FOR YOUR RECORDS

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

Ditch diversion into lake (Snag Lake) remains essentially the same as for past decades. This diversion and ditch was improved and maintained by a backhoe in 1994 to remove sediment and enhance capacity of ditch to earlier configuration. Excess diverted water passes over or through lake outlet, or seeps through lake bottom or both. The huge majority of

- F. If part of the water listed in Part G consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

diversion: is passed on to Pine Creek through such outlet or seepage. The lake contains approximately 10.6± acre feet when full. The only consumptive use from the lake is evaporation.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: March 27, 1995, at Conifer, Colorado, California

SIGNATURE: Craig A. Giffen

PRINTED NAME: Craig Arthur Giffen
(FIRST NAME) (M. NAME) (LAST NAME)

COMPANY NAME: None

Note: Riparian water will be diverted from other reaches of Pine Creek and tributaries to water logging roads, supply water for forest fire suppression and presuppression needs, and for periodic domestic needs of forest users -- all for use on riparian lands.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"
"Information Pertaining to Water Rights in California"
"Water Rights for Stockponds Constructed Prior to 1969"
"Appropriation of Water in California"

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS
P.O. Box 2000
Sacramento, CA 95812-2000

STATEMENT OF WATER DIVERSION AND USE
INFORMATION SHEET

STATEMENT NO. 5-002622

DIVERSION SITE:

OWNER'S NAME Craig Arthur Giffen
AND Janice Marie Giffen
(FIRST) (MIDDLE) (LAST)

PARCEL NO. 024-190-16-11

PLACE OF USE:

OWNER'S NAME Craig Arthur Giffen
AND Janice Marie Giffen
(FIRST) (MIDDLE) (LAST)

1. PARCEL NO. 024-190-16-11

2. PARCEL NO. _____

3. PARCEL NO. _____

PERSON OR FIRM TO RECEIVE ALL CORRESPONDENCE AND SUPPLEMENTAL
STATEMENTS:

OWNER/~~LESSEE~~/~~AGENT~~/~~OTHER~~

NAME Craig Arthur Giffen
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS 28262 Evergreen Drive
Conifer Colorado 80433
(CITY) (STATE) (ZIP)

TELEPHONE NO. (303) 838 - 7751

OTHERS USING ABOVE DIVERSION LOCATION:

1. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

2. NAME _____
(FIRST) (MIDDLE) (LAST)

MAILING ADDRESS _____
(CITY) (STATE) (ZIP)

TELEPHONE NO. (_____) _____ - _____

→ X ADDITIONAL INFORMATION CONTINUED ON BACK OF PAGE OR ATTACHED

PLEASE USE THE OTHER SIDE TO PROVIDE THE ABOVE INFORMATION FOR
ADDITIONAL OWNERS OR PLACES OF USE AND CHECK THE ADDITIONAL
INFORMATION BOX.

The front side of this form describes the primary, long-term
diversion and place of use information for Statement S 002622

In addition, there will be, on a periodic basis, as-yet-unspecified
riparian diversions for such purposes as:

- watering logging roads to reduce dust and to maintain
a good, solid road surface for logging and land
management purposes (pumping from stream to
water truck)

- forest fire control and suppression preparedness

- domestic use by loggers and other forest users

Such diversions and uses can occur on any or all of the
following parcel numbers:

These are all
riparian parcels

024-170-10-11	{
024-170-11-11	
024-190-04-11	
024-190-16-11	
024-190-18-11	

Gray A. Duffon
March 27, 1995

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

S2622

- A. Name of person diverting water Craig A. Giffen and Janice M. Giffen
Address 14004 Shippers Lane, Rockville, Maryland 20853
- B. Name of body of water at point of diversion Unnamed creek which rises on diverter's property and is tributary to an unnamed creek which is tributary to Pine Creek
- C. Place of diversion NE 1/4 SE 1/4 Section 34, Township 48N, Range 15E, MD Modoc County, or locate it on sketch of section grid on reverse side with regard to section lines prominent local landmarks.
- D. Name of works No name
- E. Capacity of diversion works 8 cfs cubic feet per second
Capacity of lake Natural lake (Snag Lake) with raised outlet holds about 30 acre-feet acre-feet
State quantity of water used each month in gallons or acre-feet 8 cfs or natural flow whichever is less for 365 days per year
Year Jan. Feb. Mar. Apr. May June July Aug. Sept. Oct. Nov. Dec. Annual
X X X X X X X X X X X X
Diversion is used to keep lake full of fresh, circulating water. For
If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as
acres of each crop irrigated, average number of persons served, number of stock watered, etc. Lake is used for recreation, boating, fishing and aesthetic enjoyment. Hundreds of visits per year.
Maximum annual water use in recent years. 1200 acre-feet including overflow and seepage. gallons acre-feet
Minimum annual water use in recent years. 600 acre-feet including overflow and seepage. gallons acre-feet
Type of diversion facility: gravity X, pump
Method of measurement: weir, flume, electric power meter, water meter, estimate X
- F. Purpose of use (what water is being used for) Keep lake (Snag Lake) full of fresh, circulating water for recreation, boating, fishing and aesthetic purposes. In addition, some domestic use is made of the diverted water.
- G. General description or location of place of use (use sketch of section grid on reverse side if you desire) Lake (Snag Lake) is located in NE 1/4 SE 1/4 and SE 1/4 NE 1/4 of section 34, T 48 N, R 15 E, NDBM.
- H. Year of first use as nearly as known. Lake water was used for hydro purposes as early as the 1920s or before. Evidence indicates that a diversion (substantially the same as the current one) was used at that time. Renewed diversion works existed prior to 1956. Strengthening and betterment of diversion works has occurred 1956 to present.
- I. Name of person filing statement Craig A. Giffen
Position Owner (JT) Organization ---
Address 14004 Shippers Lane, Rockville, Maryland 20853

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed July 9, 1967

Signature

Craig A. Giffen

See Instructions on Reverse Side